

NO. 5:11-CV-661-F

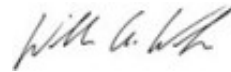
Defendant.

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Denton v. Hernandez, 504 U.S. 25, 33 (1992). Absent such wholly fantastic claims, the “initial assessment of the *in forma pauperis* plaintiff’s factual allegations must be weighted in [his] favor.” *Id.*

Plaintiff states the following as the only factual allegations in his Complaint: “Guns carried by VA police on psych wards . . . stop armed VA police on psychiatric units[.]” (DE 2-1, pg. 3-4). Likewise, he states that as relief he seeks “\$000.” (sic) in damages. (DE 2-1, pg. 4). These allegations are insufficient to support a claim upon which relief can be granted. Therefore, the undersigned RECOMMENDS that Plaintiff’s motion to proceed *in forma pauperis* be GRANTED, but that his Complaint be DISMISSED as frivolous.

SO RECOMMENDED in Chambers at Raleigh, North Carolina on Tuesday, November 22, 2011.



WILLIAM A. WEBB
UNITED STATES MAGISTRATE JUDGE